

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

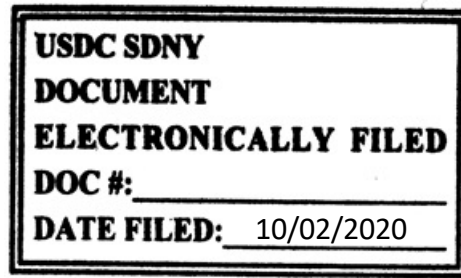
Xing Dong Zhang,

Plaintiff,

-against-

Ken's Sushi Bistro, Inc. et al.,

Defendants.



1:19-cv-02594 (SDA)

ORDER

**STEWART D. AARON, UNITED STATES MAGISTRATE JUDGE:**

This case contains claims under the Fair Labor Standards Act. On September 24, 2019 an Order was issued on the parties' consent referring disposition of this matter to the undersigned pursuant to 28 U.S.C. § 636(c). (ECF No. 29.) On September 30, 2020, the parties submitted their motion for settlement approval and related papers, including the proposed settlement agreement. (ECF No. 55.) Having reviewed the proposed settlement, the Court finds that it is fair and reasonable.<sup>1</sup> *See Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199 (2d Cir. 2015). The settlement is approved.

Accordingly, this action is dismissed with prejudice and without costs except as may be stated in the settlement agreement. The Court will retain jurisdiction to enforce the settlement agreement. The Clerk is requested to close the case.

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<sup>1</sup> The Court notes that it finds the hourly rate of \$300 sought by Plaintiff for the three associates who did most of the work on this matter to be higher than rate typically awarded in this district for associates with similar experience. *See, e.g., Gonzalez v. Scalinatella, Inc.*, 112 F. Supp. 3d 5, 28 (S.D.N.Y. 2015) (noting that "courts in this district have found that \$300 is an appropriate hourly rate for a senior associate with at least eight years' experience"). Nonetheless, even applying an hourly rate of \$200 for these associates, the lodestar exceeds the attorneys' fee award, which is one-third of the settlement amount.

**SO ORDERED.**

DATED: New York, New York  
October 5, 2020

A handwritten signature in black ink, reading "Stewart D. Aaron", is positioned above a horizontal line.

STEWART D. AARON  
United States Magistrate Judge